



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

SEP 28 2012

Mr. Tony Bennett  
Superintendent of Public Instruction  
Indiana Department of Education  
Room 229, State House  
200 West Washington Street  
Indianapolis, Indiana 46204-2798

RECEIVED

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IND. DEPT. OF EDUCATION

Dear Superintendent Bennett:

This letter transmits the U.S. Department of Education's (ED) report of findings based on the 2012 targeted review of the Indiana Migrant Education Program (MEP) authorized under Title I, Part C of the Elementary and Secondary Education Act (ESEA) of 1965, as amended. The report also describes the status of an outstanding finding and corrective action from ED's 2007 review of the Indiana MEP.

The enclosed report summarizes the findings, corrective actions, and recommendations of ED's most recent review of the program's operations and administration. The findings are limited to the specific topics selected for the targeted review. The finding labeled as "recurring" was identified during ED's 2007 visit. ED closed the finding based on IDOE's action, but the issue re-surfaced again in 2012. One finding labeled as "outstanding" remains open from ED's 2007 visit.

Please respond according to the dates specified in the report as to the action(s) your agency has taken or will take to address the corrective actions and recommendations contained in this report. Your response should be as specific as possible and should include supporting documentation. Please send an electronic copy of the response to [Lisa.Ramirez@ed.gov](mailto:Lisa.Ramirez@ed.gov). If an electronic copy of the response is not available, please mail a hard copy to:

Dr. Lisa R. Ramírez  
Director, Office of Migrant Education  
Office of Elementary and Secondary Education  
U.S. Department of Education, Room 3E317  
400 Maryland Avenue, SW  
Washington, DC 20202-6135

In regard to the outstanding finding and corrective action from the 2007 review, we are concerned about the progress that has been made and the length of time it is taking to resolve the finding. The status of the 2007 finding is summarized at the end of this report (Section III). Failure to make significant progress to resolve this finding during the current grant year (beginning July 1, 2012) may result in a condition on your agency's Fiscal Year 2013 grant award.

We would like to express our appreciation to you and your staff for the assistance given to the Office of Migrant Education reviewers in preparing for and conducting the review. We look forward to a continued cooperative relationship with you and your Title I, Part C Migrant Education staff. Please do

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not hesitate to contact us if you have any questions regarding the report or if your staff require technical assistance to address the findings. Your MEP program officer, Ms. Lisa Gillette, is available by telephone at (202) 260-1426 or by e-mail at [lisa.gillette@ed.gov](mailto:lisa.gillette@ed.gov).

Sincerely,

A handwritten signature in cursive script, reading "Lisa Ramirez". The signature is written in black ink and is positioned above the printed name and title.

Lisa R. Ramirez, Ed.D.  
Director  
Office of Migrant Education

Enclosure

cc: Ms. Anne Davis, MEP State Director

## **A REPORT TO THE INDIANA DEPARTMENT OF EDUCATION**

### **Targeted Desk Review of the Title I, Part C Migrant Education Program**

This report contains findings from the targeted desk review of the Title I, Part C Migrant Education Program (MEP) in Indiana. Ms. Lisa Gillette, Dr. Irene Harwarth, and Ms. Patricia Meyertholen conducted the review the week of March 12, 2012. The Federal Office of Migrant Education (OME) reviewers (hereinafter “reviewers”) conducted interviews with Indiana Department of Education (IDOE) MEP staff and with local MEP project staff at Alexandria Community School Corporation (CSC) and South Bend CSC.

The information in this report was obtained by examining IDOE office documents and selected school corporation records, and through telephone interviews with State and local personnel.

The OME review team appreciates IDOE’s cooperation in conducting this monitoring review and would like to give special thanks to the Indiana State MEP Director, Ms. Anne Davis, and her staff for their assistance in preparing for the review. The OME review team also extends their appreciation to the following individuals, who were helpful in scheduling interviews, answering questions, and responding to requests for documents:

- Ms. Angela Mello, IDOE
- Ms. Doris Waters, IDOE
- Ms. Jenny Pruett, Alexandria CSC,
- Ms. Maritza Robles, South Bend CSC, and
- Mr. Bill Barna, South Bend CSC.

The findings and recommendations in this report are organized as follows:

- I. Overview,
- II. Areas of Noncompliance, Required Corrective Actions, and Recommendations for Improvement, and
- III. Outstanding Corrective Actions from 2007 Monitoring Review.

## **I. OVERVIEW**

### **Title I, Part C Migrant Education Program**

The MEP is the Basic State Grant Program authorized in sections 1301-1309 of Title I of the Elementary and Secondary Education Act (ESEA) of 1965, as amended. Applicable program regulations for the MEP are found in Volume 34 of the Code of Federal Regulations (34 CFR) §§ 200.81 – 200.89 and in 34 CFR §§ 200.100 - 103. Portions of the Education Department General Administrative Regulations (EDGAR) and the General Education Provisions Act (GEPA) also apply.

The purposes of the MEP are to:

1. support high-quality and comprehensive educational programs for migratory children to help reduce the educational disruptions and other problems that result from repeated moves;
2. ensure that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and State academic content and student academic achievement standards;
3. ensure that migratory children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;
4. ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic content and student academic achievement standards that all children are expected to meet;
5. design programs to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of migrant children to do well in school, and to prepare them to make a successful transition to post-secondary education or employment; and
6. ensure migratory children benefit from State and local systemic reforms. MEP funds must be used to carry out these purposes by establishing and improving, directly or through local operating agencies (LOA), programs of education for migratory children.

The MEP is the only Title I program that is State operated and administered by a State educational agency (SEA) to meet the special educational needs of migrant children statewide.

### **Indiana Migrant Education Program**

The Indiana MEP enrolls approximately one thousand eligible migrant students, out of a total Indiana public school enrollment of approximately one million students. The State's migrant program is the 32<sup>nd</sup> largest in the country in terms of numbers of eligible migrant children. The program is administered at the local level through local educational agencies (LEAs) called school corporations. IDOE operates approximately 18 school year projects and 10 summer projects. Several districts have migrant children, but do not accept MEP funds. On the 2010-11 Consolidated State Performance Report (CSPR), IDOE reported that 302 migrant students are limited English proficient (LEP) and 182 are designated as having priority for services (PFS).

Forty-four percent of Indiana migrant children migrate from Texas, 22 percent from Florida, seven percent from Georgia, and most of the remainder migrate from Mexico. Families typically arrive in June and leave in September, but some stay as late as the end of October. In the northern and central areas of Indiana, the major crops are corn and tomatoes. In the southern part of Indiana crops include apples, watermelon, and asparagus. Cucumbers are worked throughout the year. The largest numbers of migrant students are in the Alexandria, Elwood, and South Adams CSCs. These CSCs are geographically located in the eastern and central parts of the state, northeast of Indianapolis.

Since ED's 2007 monitoring visit, Indiana's migrant population has decreased from over 7,000 eligible children to approximately 1,000 eligible children. IDOE attributes these decreases to families settling out, employers hiring workers who travel on their own rather than with children, employers hiring more local seasonal workers as opposed to migrant workers, the downturn in the economy, and increased enforcement of immigration laws.

IDOE received a MEP grant award of \$5,705,872 for Fiscal Year (FY) 2011. The State uses its MEP grant to provide services to migrant students and parents and to employ MEP staff at the State and local levels. IDOE's MEP staff is comprised of a State Director, a Program Manager, and two Education Specialists. Ms. Anne Davis, Director of Individualized Learning, oversees several Federal programs including the MEP. Ms. Angela Mello, Response to Intervention and English Language Learner Manager, allocates a portion of her time to the MEP and is paid partially by MEP funds. Ms. Doris Waters, Migrant Education Specialist, allocates 100% of her time to MEP activities and is paid 100% with MEP funds. The second Education Specialist position was vacant at the time of ED's monitoring review, but IDOE had interviews scheduled for the following week. The person who fills this position will spend 50% of his/her time on the MEP and will be paid the same percentage with MEP funds. In addition to the year-round, permanent MEP staff, the State also hires seasonal staff to identify and recruit eligible migrant children during peak agricultural months. In 2011, IDOE hired five seasonal recruiters.

## II. AREAS OF NONCOMPLIANCE, REQUIRED CORRECTIVE ACTIONS, AND RECOMMENDATIONS FOR IMPROVEMENT

New Findings		
Finding 1	State Responsibility for Administration and Operation of the MEP	Corrective Actions and Recommendations
Finding 2	State Administration: Consolidated State Performance Report	Corrective Actions
Finding 3 (Recurring)	Program Operations: Identification & Recruitment, Child Eligibility, and Quality Control	Corrective Actions and Recommendations
Finding 4	Use of Funds: General and Unique Administrative Funds	Corrective Action
Finding 5	State Administration: Consolidated State Application	Corrective Action
Outstanding Findings from 2007 Visit		
Finding (Outstanding)	Program Results: Evaluation and Improvement	Corrective Action and Recommendations

### **Finding 1: State Responsibility for Administration and Operation of the MEP**

**Requirements:** Under section 1302 of ESEA, as amended, the annual award that the Secretary makes to IDOE is for the purpose of establishing or improving, directly or through LOAs, programs of education for migratory children in accordance with the part.

In 2002, ED established a single application that States could use to apply for funding for all programs authorized under the ESEA in Section 9302. The Consolidated State Application required SEAs, as a condition of receipt of their MEP funds, to describe how they will plan, implement, and evaluate the program.

Section 1306 of ESEA, as amended, requires SEAs and LOAs to address the special educational needs of migratory children in accordance with the State's comprehensive needs assessment (CNA) and comprehensive state plan for service delivery (also known as the service delivery plan or SDP). Section 1306 further requires SEAs and LOAs to use MEP funds for programs and projects designed to meet the special educational needs of migrant children, and more specifically those needs that are not addressed by services available from other Federal or non-Federal programs.

All expenditures under the MEP are subject to the fiscal requirements found in 34 CFR Part 80 and in Office of Management and Budget (OMB) Circular A-87.

**Finding:** An SEA's ability to meet the needs of migratory children on a statewide basis is directly related to the extent to which it can fully and effectively implement the requirements of the program and expend MEP funds. Knowing this, ED is very concerned about IDOE's failure to comply with a number of MEP requirements and its inability to expend MEP funds in accordance with the 27-month period of availability. Below is a list of MEP requirements with which IDOE was not in compliance at the time of the review.

- Program Evaluation - Despite an outstanding finding from ED's 2007 monitoring review, IDOE still does not have a written evaluation that measures the implementation and results achieved by the program. See Section III regarding the outstanding finding from ED's 2007 review.
- Consolidated State Performance Reporting - IDOE's CSPR processes, as they relate to the MEP, are not well established and the accuracy of the data is highly questionable. See Finding 2.
- Identification and Recruitment - IDOE's structure for identifying and recruiting migrant children has been downsized to the point that the State is no longer able to effectively manage this critical task. See Finding 3.
- Comprehensive State Plan for Service Delivery - IDOE and its local projects are not implementing the State's SDP. As a result of ED's 2007 monitoring review, IDOE developed an SDP. The previous State Director considered the plan to be inadequate, and therefore, contracted for a new plan. While the SEA intends to implement its new plan as

early as the beginning of the 2012-13 school year, LEAs have not been following any particular plan over the past several years.

- Subrecipient Monitoring - IDOE has not fulfilled its responsibilities for subrecipient monitoring, as required by section 80.40 of EDGAR, since Fall 2010

These examples demonstrate that IDOE is not carrying out the provisions of the MEP to the degree to which it agreed as a condition of receiving MEP funds. This is further supported by the fact that IDOE returned a significant amount of MEP funds to the U.S. Treasury in 2007 (\$2,669,410) and as of September 26, 2012, had not drawn down any of the FY 2010 or 2011 funds it received to operate the program. If the State was in compliance with the major requirements described in this finding, it likely would not have such large unexpended balances.

#### **Corrective Actions:**

1. Within 75 days of the date of this report, IDOE must submit a plan and timeline for addressing the first four compliance requirements described above. The plan should address how the State will modify its organizational structure, program procedures, budget, etc. to better carry out its responsibilities as the administrator and operator of the MEP. In developing its plan, we encourage the State to consider our recommendations below.

If, after developing its plan, timeline, and corresponding budget, IDOE determines that it does not need the total amount of funds available or cannot spend the total amount within the period of availability, we strongly recommend that IDOE voluntarily deobligate any FY 2011 or FY 2012 MEP funds that it does not anticipate spending to ED. If funds are deobligated in sufficient time, ED will be able to award the balance to other States with migrant children. OME staff are available to discuss strategies for reorganizing the State's program to better carry out the provisions of the MEP, and if necessary, the process for deobligating MEP funds.

2. Within 75 days of the date of this report, IDOE must submit evidence that it has instructed its grantees on how and when to implement the State's updated SDP.
3. Within six months of the date of this report, IDOE must submit evidence that it has resumed program monitoring activities. Evidence shall include a copy of its monitoring schedule for the 2012-2013 performance year and copies of the monitoring reports for the first three reviews.

Additional corrective actions for program evaluation, reporting on the CSPR, and ID&R are outlined later in this report. See Findings 2 and 3, and the outstanding finding from 2007.

## **Recommendations:**

1. We strongly recommend that IDOE (1) hire additional SEA staff to administer and operate the MEP, (2) hire staff via contract or subgrant who will carry out duties on behalf of the SEA, or (3) implement a combination of these two approaches. According to IDOE staff, approximately 1.5 full-time equivalent staff are dedicated to the MEP at the State level. While it intends to hire another staff person who will charge approximately 50% of his/her time to the MEP, another .5 FTE is probably not enough staff to bring the MEP into compliance with all of the issues referenced in this report. Given the number and seriousness of the findings the reviewers identified, it is very possible that IDOE is not in compliance with other major MEP requirements. Knowing this, we urge IDOE to act on our recommendation for additional staff to help the State fulfill its responsibilities.

See Findings 2 and 3, and the outstanding finding from 2007 for additional recommendations regarding personnel.

2. At a minimum, we recommend that IDOE hire, either directly or, via a subgrant or contract, a full-time data coordinator who will be responsible for tasks such as, but not limited to: (1) training SEA and local project staff on the use of the MIDAS and Migrant Student Information Exchange (MSIX) systems, (2) running reports for the CSPR and for improving processes related to ID&R and program services, (3) ensuring that IDOE and local project sites understand data collection requirements and are collecting clean and accurate data, (4) working with the software developer to ensure that the MIDAS system meets the needs of the MEP, and (5) fulfilling State responsibilities related to the MSIX.

## **Finding 2: State Administration - Consolidated State Performance Report**

**Requirements:** Section 1304(c)(7) of ESEA requires SEAs to assist ED in determining the number of migratory children in the State so that ED may determine the correct amount of the State's MEP allocation. Section 9303 of ESEA requires States that receive funding based on the Consolidated State Application to submit a CSPR that includes such information that the Secretary determines is necessary. In CSPR Part 1, SEAs report unduplicated statewide child counts and the procedures used to develop these counts. In CSPR Part 2, States report MEP performance-related information.

The counts of eligible migratory children fall into two categories: (1) children ages 3 through 21 who resided in the State for one or more days during the preceding September 1-August 31 timeframe; and (2) children ages 3 through 21 who received services one or more days in a migrant-funded summer or intersession project during the preceding September 1-August 31 timeframe. The performance data is related to the number of migrant children who received various MEP-funded instructional and support services during the regular school year and summer/intersession periods.



## Findings:

Based on the MEP child count procedures that IDOE staff described in its CSPR Part 1 and during monitoring interviews related to CSPR Parts 1 and 2, the reviewers question the accuracy of IDOE's data. As part of their review, the reviewers have concerns about the issues described below.

1. IDOE's criteria for generating its child counts appears to only count children who had a qualifying arrival date within three years of the end of the child count period (i.e., within three years of August 31, 2011). However, in order to capture all eligible children for the 2010-2011 counts, IDOE's criteria should include children who had a qualifying arrival date within three years of the beginning of the child count period (i.e., within three years of September 1, 2010). As the criteria are currently written, IDOE is likely excluding eligible children from both its Category 1 and Category 2 counts.
2. While explaining the logic for generating its Category 1 count, IDOE staff could not articulate how they included a specific subset of eligible children. Specifically, it was not clear how IDOE included children who resided in Indiana only during the summer, but who did not receive a MEP-funded summer service during their time of residence.
3. Similar to Finding 2.2, IDOE staff could not articulate their procedures for eliminating duplicate children from their child counts in a way that the reviewers were confident that such children were not counted more than once during a reporting period. Before entering a child in the Migrant Information Data and Access System (MIDAS), MEP staff search the system to determine if a child has already been entered. The reviewers question whether this process is sufficiently robust to identify potential duplicates. For example, MEP staff search on the child's first name, last name, gender, student test number, and date of birth. If the child has a student test number, it is easy for the State to identify the child as one who already exists in the system. But, if the child does not have a student test number and MEP staff search on an exact match of the child's first name, last name, and date of birth, the system might not identify the child if his or her name or date of birth was entered slightly differently from how it was entered the first time. Names and dates of birth are often misrecorded at the time of an eligibility interview or mistyped when entered into the data system. Unless MEP staff search on a date range or spelling variations of first names and last names, it is easy to create a new entry incorrectly. And, if the same child is inadvertently entered into the system with two different unique MIDAS student identification numbers, the State does not have a process (that includes a child by child analysis) for examining potential duplicates before submitting the child count to ED.
4. As currently conducted, IDOE's process for verifying a migrant child's residency allows for a child to be included even though he or she may not have been a resident in the State for at least one day during the reporting period. State MEP staff verify residency for the upcoming child count period in August when school starts. By verifying residency before the start of the new child count period (i.e., September 1), IDOE runs the risk of overcounting children. For example, the State verifies a child's residency in mid August, but the child migrates back to Texas by the end of the month. Under IDOE's current child count procedures, this child

would be included in the State's child counts for the coming year even though the child would not have resided in the State for at least one day during the reporting period. The potential for overreporting children in this scenario is significant because Indiana has a large number of children who arrive during the summer and stay for only a short period of time.

5. IDOE's current procedures for generating CSPR Part 2 MEP data do not ensure that IDOE's final numbers are unduplicated statewide. IDOE collects most CSPR Part 2 data via each local project's End of Project Performance Report (EPPR). Local projects report in the aggregate, for example, the number of children that received an instructional service during the regular school year. But, because IDOE does not track this information electronically, nor does it have sufficient information at the State level to manually merge records, the State cannot confirm that it is reporting unduplicated numbers on CSPR Part 2. It is possible that a child could receive instructional services in one project district during the fall and another project district in the spring (because he made a move during the school year). Both districts would report to the State that they served the child. In this situation, IDOE staff said that when reporting to ED it would simply add together the total number of children reported by each project. In doing so, the same child would be reported twice in the total number even though the total number reported to ED is supposed to be unduplicated.

#### **Corrective Actions:**

1. Within 75 days of the date of this report, IDOE must describe how, through system programming and data collection and input procedures, it will ensure the following when generating its 2011-12 Category 1 and 2 counts:
  - How will the State ensure that it only includes children who meet all eligibility criteria?
  - How will the State ensure that it only includes children who are age three through 21?
  - How will the State exclude children who are scheduled to turn three during the reporting period, but who moved out of the State before their third birthday (i.e., they are not a resident in the State at least one day since turning three)?
  - How will the State ensure that children are only counted once per age/grade level for each child count category? And, how will it ensure that when counting these children, they count them according to the oldest age or highest grade that the children achieved during the reporting period?
  - How will the State ensure that children who were a resident for at least one day during the reporting period are included in the State's child counts?
  - What checks and balances will the State use, in addition to a search on the child's STN number, to ensure that there are no duplicated counts of children in the system?

- How will the State ensure that children who (1) graduate or earn a GED (or its equivalent), (2) end eligibility because they have not made a move within the past 36 months, or (3) turn 22, during the current reporting period are not included in the child counts for the next year's reporting period?
  - How will the State ensure that children who (1) graduate or earn a GED (or its equivalent), (2) end eligibility because they have not made a move within the past 36 months, or (3) turn 22, during the regular school year for one reporting period are not included in the Category 2 count for that same reporting period?
  - How will the State ensure that it only includes children who are within three years of a qualifying move?
  - How will the State ensure, for the Category 2 count, that it only includes children who received a service during the summer or intersession period?
2. Within 75 days of the date of this report, IDOE must submit the MSIX identification numbers for every child that the State included in its 2010-2011 Category 1 count and its 2010-2011 Category 2 count. IDOE staff should contact Ms. Jennifer Dozier via telephone at (202) 205-4421 or via email at [jennifer.dozier@ed.gov](mailto:jennifer.dozier@ed.gov) to discuss the format and method for submitting this information. In addition, IDOE MEP staff are required to work with MSIX staff to address any discrepancies between the numbers generated via the MIDAS and MSIX systems.
  3. As part of the CSPR review process, IDOE submitted a corrective action plan describing how it would address the reviewers findings related to its CSPR Part 2 data. On May 30, 2012, ED accepted IDOE's plan. No further action is necessary regarding this finding. ED will monitor resolution of this finding when IDOE submits its 2011-12 CSPR Part 2 data.

**Finding 3 (RECURRING): Program Operations - Identification/Recruitment, Child Eligibility, and Quality Control**

**Requirements:** Under sections 1304(c)(7) and 1309(2) of ESEA, the SEA is responsible for the proper and timely identification of all eligible migratory children residing in the State. 34 CFR § 200.89(c) requires SEAs to use the Certificate of Eligibility (COE) form established by the Secretary to document the State's determination of the eligibility of migratory children. Section 200.89(d) requires SEAs to adopt several ID&R-related quality control activities, including (1) a formal process for resolving eligibility questions raised by recruiters and for ensuring that the answers to the questions are communicated to all local operating agencies, and (2) supervising and annually reviewing and evaluating the identification and recruitment practices of individual recruiters.

## Findings:

1. IDOE does not have sufficient staff dedicated to ID&R to ensure that it (1) identifies all eligible children, and (2) identifies eligible children in a timely fashion. During the 2010-2011 school year, IDOE hired five seasonal recruiters from June to August. Two of the five recruiters remained employed through October. IDOE relied on a full-time, permanent staff member, who has other State MEP responsibilities, to recruit from November through May. CSCs assist the State with ID&R by filling out a "work survey" on children who enroll and whose parents are potentially eligible for the MEP. In the summer months, the seasonal recruiters use the "camp profiles" and "work surveys" as their primary leads for recruitment. For the reasons described further on in this finding, this structure is not sufficient to cover a state the size of Indiana.
  - Based on a review of COEs, nearly two to three months pass between the time a child moves to Indiana and the time the child is recruited for the program. This is a significant amount of lost-service time given the migrant children's brief residency in Indiana. If recruiters are having difficulty identifying families in a timely manner, it is unlikely that they have time to carry out other duties that help maintain a quality ID&R system, such as: mapping new and emerging agricultural areas, canvassing neighborhoods, and networking with employers and community agencies.
  - The one full-time IDOE staff person who recruits between November and May, did not recruit this past year because of other pressing SEA duties. This lack of recruitment is problematic because Indiana has a large number of processing plants that potentially hire temporary workers during the winter months (peak season for the items that these plants produce). But, if no one visits these plants regularly then workers are likely going unidentified.
  - Recruiters rely heavily on the "work surveys" that school districts complete. Unless this survey strategy is combined with (1) employer-based recruitment, (2) community-based recruitment, and (3) ID&R strategies such as mapping, canvassing, and networking, the State's ID&R system will not be effective. When recruiters rely largely on surveys that school staff complete, they miss eligible migrant children who are not enrolled in school, such as older youth who travel on their own and pre-school age children.
2. Some of the data elements on IDOE's current COE do not conform to the requirements of the national COE established by ED. For example, IDOE's COE collects a data element titled "guardian father." However, the title required as part of the national COE is "Male Parent/Guardian Last Name" and "Male/Parent/Guardian First Name".
3. IDOE does not have formal processes for (1) reviewing and evaluating the ID&R practices of individual recruiters, and (2) resolving eligibility questions raised by recruiters and communicating the responses to all LOAs.

### **Corrective Actions:**

1. Within 75 days of the date of this report, IDOE must submit its plan and timeline for modifying its current ID&R system so that all eligible children are identified and recruited in a timely fashion. Specifically, the State must address (1) how it will decrease the amount of time between a child's qualifying arrival date and the date the child is recruited for the program, (2) how it will address recruitment during the offpeak season, and (3) how it will ensure that its ID&R system locates eligible children and youth are not enrolled in school. See the recommendations below for suggestions on how to address this corrective action.
2. Within 75 days of the date of this report, IDOE must submit a revised COE template that conforms to the national COE requirements. Specifically, IDOE must ensure that each child and family data element is titled according to the national COE requirements.
3. Within six months of the date of this report, IDOE must submit its processes and procedures for (1) reviewing and evaluating the ID&R practices of individual recruiters and (2) resolving eligibility questions and communicating the responses to all LOAs.

### **Recommendations:**

1. IDOE should hire additional recruiters to implement year round ID&R activities such as mapping new and emerging agricultural areas, canvassing neighborhoods, networking with employers and community agencies. These processes will help ensure that recruiters identify children immediately upon receiving referrals from schools or upon their arrival in the State.
2. IDOE should revise its Staff Handbook (also considered to be the State's ID&R Manual) to include a more comprehensive action plan for recruiting and identifying all eligible migrant children residing in the State. Specifically, IDOE should update the manual to include expectations for mapping agricultural areas in the State and for recruiting OSY. IDOE should look at OME's ID&R Curriculum and other States' ID&R manuals as a guide for carrying out this recommendation.
3. IDOE should incorporate in its revised Staff Handbook its processes for (1) resolving eligibility questions and communicating the responses to questions to all recruiters, and (2) reviewing and evaluating recruiter performance. Again, we encourage IDOE to speak with other States about their policies and practices for carrying out these two requirements.
4. IDOE should simplify the "work survey" that school districts use to include only a few key questions. As mentioned above, IDOE recruiters rely heavily on this survey. While it can be valuable (if combined with other forms of recruitment and a well-functioning ID&R system), it should be as broad as possible in order not to exclude potentially eligible families. For example, the form might be more useful if it asks only a few broad questions, such as: (1) Is anyone in your home under the age of 22 (including you, your

spouse, your child)? (2) Has anyone moved to a new place to find work within the last 3 years? (3) Did anyone look for or find work in agriculture or fishing (e.g., farms, canneries, orchards, processing plants, nurseries, dairies)? Recruiters should follow up with any family that is potentially eligible to conduct a more thorough interview and make a final eligibility determination.

#### **Finding 4: Use of Funds - General and Unique Administrative Funds**

**Requirements:** Under sections 1004(a) of ESEA, as amended and 34 CFR § 200.100(b)(1), an SEA may reserve up to 1 percent of the funds it receives under Title I, Part C for general program administration, and either (1) use them to pay for the *general* administration costs of the MEP or (2) combine these funds with funds it may reserve under Title I, Parts A and D for *general* administration, and use the combined amount to carry out *general* administrative activities associated with any or all of these three Title I programs. The ESEA does not permit an SEA to use more than 1 percent of Title I, Part C funds for *general* administration. If the SEA does not combine its *general* administrative funds and additional funds are needed for *general* administration of the MEP, the funds must come from available State funds. Examples of *general* administrative activities include: designing and distributing required forms, processing project applications, monitoring projects for fiscal compliance with the statutory and regulatory requirements, maintaining fiscal control and accounting procedures of all the Title I programs, including the Title I, Part C MEP.

34 CFR § 200.82 allows an SEA to reserve additional MEP funds at the State level to carry out administrative activities, if those activities are *unique* to the MEP. Examples of *unique* administrative activities include: statewide ID&R, inter/intrastate coordination, the transfer of student records, data collection, conducting a statewide needs assessment, developing a service delivery plan, staff supervision, conducting parental involvement activities, and evaluating the MEP.

**Finding:** The SEA does not combine administrative funds with Title I, Parts A and D. However, it is not clear from the documentation submitted or through interviews with SEA staff what percent of MEP funds IDOE reserves for *general* administration and what types of activities are charged to those funds. Without knowing this information, the reviewers could not determine how much money IDOE sets aside for *unique* administration or whether the charges for *unique* administration are in accordance with 34 CFR § 200.82.

**Corrective Action:** Within 75 days of the date of this report, IDOE must outline the amount of funds it will set aside for both general and unique administration. In addition, it must describe the types of expenses that will be charged to general administration and the types of expenses that will be charged to unique administration so that ED can determine if the charges are allowable as per the definition of each type of administrative funds. See also Finding 5.2 for an additional corrective action regarding *unique* administrative funds.

#### **Finding 5: State Administration - Consolidated State Application**

**Requirements:** Section 1304(b)(5) of ESEA, as amended, requires SEAs to take the following factors into account when subgranting MEP funds to LOAs: 1) the numbers of migrant children; 2) the needs of migrant children; 3) the statutory priority to first serve children who are failing, or most at risk of failing to meet the State's challenging State standards and whose education has been interrupted during the regular school year; and 4) the availability of funds from other Federal, State, and local programs. 34 CFR § 200.82 of the regulations allows SEAs to reserve funds, in addition to those reserved for general administration, for administrative activities that are unique to the MEP.

In 2002, ED established a single application that States could use to apply for funding for all programs authorized under the ESEA (the statutory authority for the consolidated application process is provided in section 9302 of ESEA, as amended). The consolidated State application requires SEAs, as a condition of receipt of MEP funds, to describe how the State will determine the amount of any subgrants it will award to LOAs. SEAs are also required to disclose the amount of funds that they will reserve at the State level for unique administrative activities. Section 76.140(b) of EDGAR requires an SEA to update the application any time it makes a substantive change.

#### **Findings:**

1. IDOE does not follow the procedures for subgranting to LOAs that were approved in its consolidated State application. Moreover, its current subgrant procedures are not in compliance with section 1304(b)(5) of the statute. Its current subgrant formula takes into account the numbers of migrant children, but it does not take into account the other required factors: the needs of migrant children, children who qualify as PFS (i.e., children who are failing or are most at risk of failing to meet the State's academic standards *and* whose education has been interrupted during the regular school year), and the availability of funds from other Federal, State, and local programs.
2. As discussed in Finding 4, IDOE does not know how much it reserves for administrative activities *unique* to the MEP. Therefore, the reviewers cannot determine if IDOE's consolidated state application is up to date with respect to this section.

**Corrective Action:** After IDOE responds to Finding 4, but not later than four months from the date of this report, IDOE must submit, for ED's approval, an amendment to its Consolidated State Application. The amendment must include (1) updated subgrant procedures that are in accordance with section 1304(b)(5) of the statute, (2) the amount of and uses for the funds it sets aside for unique administrative activities (if different from the amount stated in its consolidated application), and (3) any other updates necessary to reflect the program IDOE will implement this coming year and beyond. Prior to submitting the amendment, IDOE should discuss proposed changes with its MEP program officer. As mentioned during the review, the "needs" that must be taken into account when determining subgrant amounts should be the aligned to the needs identified in the State's CNA.

Instructions for amending the State's Consolidated Application are as follows: IDOE must submit a formal written request to ED proposing to amend its Consolidated State Application.

The request should include a cover letter and the amendment with tracked changes in each section to be revised. IDOE need only include in its submission the section(s) that it seeks ED's approval to change. The request should be addressed to the Assistant Secretary of the Office of Elementary and Secondary Education:

Ms. Deb Delisle  
Assistant Secretary for the Office of Elementary and Secondary Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

### **III. OUTSTANDING CORRECTIVE ACTIONS FROM 2007 MONITORING REVIEW**

#### **Outstanding Corrective Action: Program Results - Evaluation and Improvement**

**Requirements:** Section 1304(c)(5) of ESEA, as amended, requires each SEA to determine the effectiveness of its migrant education programs and projects, where feasible, using the same approaches and standards that are used to assess the performance of students, schools, and LEAs under Title I, Part A. 34 CFR § 200.84 requires that each SEA determine the effectiveness of its program through a written evaluation that measures the implementation and results achieved by the program against the State's performance targets in 34 CFR § 200.83(a)(1), particularly for those students who have PFS. In addition, 34 CFR § 200.85 requires the use of the evaluation results at the State and local level for program improvement.

**Finding:** IDOE has not conducted a program evaluation that measures the implementation and results of the MEP. This is an outstanding finding from ED's 2007 review of the program.

**Corrective Action:** Within 75 days of the date of this report, IDOE must submit its plan (i.e., major activities and timeline) for evaluating both the implementation and results of the MEP on a statewide basis and for using the results to improve State and local MEP services. In developing its evaluation, IDOE should review the regulatory requirements in 34 CFR §§ 200.83, 200.84 and 200.85 and the MEP Guidance for more information about conducting its program evaluation. IDOE must submit a final evaluation report not later than one year after the date of this report. As it fulfills its responsibilities for program evaluation, we encourage the State to consider the recommendations below.

#### **Recommendations:**

1. IDOE should require more detail in its local project application and EPPR in order to better inform its formative evaluation. For example, IDOE should examine the types of instructional and support services being offered, the duration of those services, and the learning strategies that those services are addressing in order to properly evaluate which services have a positive effect on student needs and which do not. With this information, IDOE will be in a better position to use its evaluation for program improvement.



2. While the reviewers recognize that IDOE intends to collect baseline data as part of its upcoming program evaluation, we strongly recommend that it revise its SDP to create more specific and more rigorous measureable program outcomes than those currently included in the plan. For example, the current plan calls for a "gain" or an "increase" from the prior year's numbers. Instead, we recommend that the State set a specific percentage that it expects LOAs to "gain" or "increase."
3. IDOE should be mindful of the regulatory requirement that requires SEAs to measure the implementation and results achieved for the program, particularly for those students who have PFS. If the State collects data in the aggregate from the EPPR, it does not appear as though it will be able to determine how well projects implemented services for PFS students and how well PFS students performed based on those services.